

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of New York

Case number (if known): 20- Chapter 15

☐ Check if this is an amended filing

Official Form 401

Chapter 15 Petition for Recognition of a Foreign Proceeding

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write debtor's name and case number (if known).

1. Debtor's name Odebrecht Engenharia e Construção S.A.

2. Debtor's unique identifier

For non-individual debtors:

☐ Federal Employer Identification Number (EIN) ____ - ____ - ____

☒ Other 19.821.234/0001-28. Describe identifier Brazilian tax number.

For individual debtors:

☐ Social Security number: xxx - xx- ____ - ____

☐ Individual Taxpayer Identification number (ITIN): 9 xx - xx - ____ - ____

☐ Other _____. Describe identifier _____.

3. Name of foreign representative(s)

Adriana Henry Meirelles

4. Foreign proceeding in which appointment of the foreign representative(s) occurred

N/A - Foreign Representative was appointed by board of directors through resolution

5. Nature of the foreign proceeding

Check one:

- ☒ Foreign main proceeding
☐ Foreign nonmain proceeding
☐ Foreign main proceeding, or in the alternative foreign nonmain proceeding

6. Evidence of the foreign proceeding

- ☐ A certified copy, translated into English, of the decision commencing the foreign proceeding and appointing the foreign representative is attached.
☐ A certificate, translated into English, from the foreign court, affirming the existence of the foreign proceeding and of the appointment of the foreign representative, is attached.
☒ Other evidence of the existence of the foreign proceeding and of the appointment of the foreign representative is described below, and relevant documentation, translated into English, is attached.
A certified copy, translated into English, of the decision commencing the foreign proceeding is attached.
A copy, translated into English of the board of directors' resolution to appoint the foreign representative is attached.

7. Is this the only foreign proceeding with respect to the debtor known to the foreign representative(s)?

- ☐ No. (Attach a statement identifying each country in which a foreign proceeding by, regarding, or against the debtor is pending.)
☒ Yes (The Brazilian Proceeding Case Number is: 1075159-25.2020.8.26.0100)

Debtor Odebrecht Engenharia e Construção S.A. Case number (if known) 20-
Name

8. Others entitled to notice

Attach a list containing the names and addresses of:

- (i) all persons or bodies authorized to administer foreign proceedings of the debtor,
- (ii) all parties to litigation pending in the United States in which the debtor is a party at the time of filing of this petition, and
- (iii) all entities against whom provisional relief is being sought under § 1519 of the Bankruptcy Code.

9. Addresses

Country where the debtor has the center of its main interests:

Brazil

Debtor's registered office:

Rua Lemos Monteiro 120, 14th Floor, Part J, Butantã
Number Street

P.O. Box

São Paulo, State of São Paulo 05.501-050
City State/Province/Region ZIP/Postal Code

Brazil
Country

Individual debtor's habitual residence:

Number Street

P.O. Box

City State/Province/Region ZIP/Postal Code

Country

Address of foreign representative(s):

Rua Lemos Monteiro 120, 8th Floor, Part J, Butantã
Number Street

P.O. Box

São Paulo, State of São Paulo 05.501-050
City State/Province/Region ZIP/Postal Code

Brazil
Country

10. Debtor's website (URL)

https://www.oec-eng.com/en

11. Type of debtor

Check one:

- ☒ Non-individual (check one):
 - ☒ Corporation. Attach a corporate ownership statement containing the information described in Fed. R. Bankr. P. 7007.1.
 - ☐ Partnership
 - ☐ Other. Specify: _____
- ☐ Individual

Debtor Odebrecht Engenharia e Construção S.A.
Name

Case number (if known) 20-

12. Why is venue proper in this district?

Check one:

- ☒ Debtor's principal place of business or principal assets in the United States are in this district.
- ☐ Debtor does not have a place of business or assets in the United States, but the following action or proceeding in a federal or state court is pending against the debtor in this district:
- _____
- ☐ If neither box is checked, venue is consistent with the interests of justice and the convenience of the parties, having regard to the relief sought by the foreign representative, because:
- _____

13. Signature of foreign representative(s)

I request relief in accordance with chapter 15 of title 11, United States Code.

I am the foreign representative of a debtor in a foreign proceeding, the debtor is eligible for the relief sought in this petition, and I am authorized to file this petition.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct,

X /s/ Adriana Henry Meirelles
Signature of foreign representative

Adriana Henry Meirelles
Printed name

Executed on 11/24/2020
MM / DD / YYYY

X _____
Signature of foreign representative

Printed name

Executed on _____
MM / DD / YYYY

14. Signature of attorney

X /s/ Luke A. Barefoot
Signature of Attorney for foreign representative

Date 11/24/2020
MM / DD / YYYY

Luke A. Barefoot
Printed name

Cleary Gottlieb Steen & Hamilton LLP
Firm name

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*Attorneys for the Foreign Representative
of Odebrecht Engenharia e Construção S.A.
and affiliated debtors*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Odebrecht Engenharia e Construção S.A., *et al.*,¹

Debtors in a Foreign Proceeding

Chapter 15

Case No. 20-_____

(Joint Administration Pending)

STATEMENT OF RELATEDNESS

This chapter 15 proceeding is related to the existing chapter 15 proceedings of Odebrecht S.A. (“ODB”), Odebrecht Participações e Investimentos S.A., Odebrecht Finance Ltd. and ODB International Corporation., jointly administered under Case No. 19-12731, currently pending before Judge Stuart M. Bernstein of the Bankruptcy Court of the Southern District of New York. ODB is the immediate parent and wholly owns Odebrecht Engenharia e Construção S.A. (“OEC”). ODB and OEC undertook different restructurings with ODB undertaking a jointly-administered judicial reorganization (recuperação judicial) and OEC restructuring through an extrajudicial reorganization (recuperação extrajudicial) proceeding. As such, the Debtors do not seek to have the ODB chapter 15 case before this Court jointly administered with the OEC case. Instead, we respectfully request that this chapter 15 proceeding be assigned to Judge Bernstein.

¹ The Debtors in these chapter 15 cases (the “Chapter 15 Cases”) and the last four identifying digits of the tax number in the jurisdiction are: Odebrecht Engenharia e Construção S.A. (Brazil – 01-28); CNO S.A. (Brazil – 01-82); OECI S.A. (Brazil – 01-78).